

DEC 15 2008

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To: Mail Stop Petition  
Firm: U. S. Patent and Trademark Office  
Fax #: 571-273-8300  
From: Ronald J. Kubovcik (Registration No. 25,401)  
Date: December 15, 2008  
Pages : 4 including this cover sheet.  
Re : Pat. No. : 6,805,997  
Issue Date : October 19, 2004  
Appl. No. : 09/889,168  
Filed : July 11, 2001  
Dkt. No. : YSM-012  
Cust. No. : 20374

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OFFICE OF PETITIONS

Document transmitted herewith:

1. PETITION UNDER 37 C.F.R. §1.378(c) TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT
2. PTO-2038 for \$2,130.00

(Dkt: December 15, 2008)

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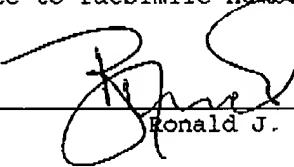
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Pat. No. : 6,805,997 Confirmation No. 8121  
Issue Date: October 19, 2004  
Appl. No. : 09/889,168 RECEIVED  
Filed : July 11, 2001 DEC 24 2008  
Applicant : Hitoshi KATAYAMA OFFICE OF PETITIONS  
TC/A.U. : 1745  
Examiner : Gregg Cantelmo  
Dkt. No. : YSM-012  
Cust. No. : 20374

I hereby certify that this paper is being facsimile transmitted on December 15, 2008, to the United States Patent and Trademark Office to facsimile number (571)273-8300.

12/18/2008 DALLEN 00000042 6805997

01 FC:2551 490.00 OP  
02 FC:1558 1640.00 OP  
Ronald J. Kubovcik

PETITION UNDER 37 C.F.R. §1.378(c) TO ACCEPT UNINTENTIONALLY  
DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

December 15, 2008

Sir:

The undersigned hereby petitions the Commissioner of Patents and Trademarks to accept delayed payment of the 3.5 year maintenance fee in the expired patent identified above and to reinstate the patent.

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U.S. Patent No. 6,805,997

PATENT

PETITION UNDER 37 C.F.R. §1.378(c) TO ACCEPT UNINTENTIONALLY  
DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT

The delay in payment of the maintenance fee was unintentional.

Form PTO-2038 in the amount of \$2,130.00 is attached hereto to cover the 3.5 year maintenance fee (\$490.00) and the surcharge set forth in 37 C.F.R. §1.20(i)(2) for an unintentionally delayed payment of maintenance fee (\$1,640.00).

Patentee claims, or has previously claimed, small entity status.

In the event any additional fees are due in connection with this matter the Commissioner is authorized to debit Deposit Account No. 111833. As to any overpayment, please credit Deposit Account No. 111833.

Respectfully submitted,

KUBOVCIK & KUBOVCIK

  
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